

Application No.: 10/690,634  
Amendment dated: December 5, 2005  
Reply to Office Action dated: June 3, 2005

### **REMARKS/ARGUMENTS**

Claims 22-46 are pending. Claims 1-21 have been canceled and were allowed in the parent case. Claims 39 and 41 have been amended.

Claims 22, 23, 25-40 and 42-46 were rejected under the judicially created doctrine of obviousness-type double patenting. Submitted with this Amendment is a properly executed Terminal Disclaimer. Accordingly, reconsideration and withdrawal of the rejection of these claims under the doctrine of obviousness-type double patenting is respectfully requested.

The drawings were objected to for a number of informalities. First, the Office Action states that there is no description as to element "325" in Fig. 3. Applicants respectfully draw the Examiner's attention to page 24, line 2, where that element is called out in the Detailed Description section of the application. The drawings were also objected to in that Figs. 3 and 4 each include two features. As requested by the Examiner, Figs. 3 and 4 have been denoted as Figs. 3a and b and Figs. 4a and b. The Brief Description of the Drawings section has been amended as well.

Claims 24-26 and 41 were rejected under 35 U.S.C. § 112, second paragraph as failing to distinctly claim the invention. In particular claims 24 and 41 were objected to as not being clear how the memory unit can replay load instructions. Claim 24 states that the replay system is to determine one or more instructions that have not executed properly and to set a flag if a store instruction has not executed properly. Claim 24 also recites a memory execution unit that is coupled to the replay system; the memory execution unit is to execute load and store instruction.

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The claim also includes the following phrase, "wherein if the invalid store flag is set for a store instruction, the replay system is to replay a load instruction that is later in sequence than the invalid store instruction." The Office Action states that is not clear how the memory unit can replay instructions since it is the replay system that replays instructions. Looking at the quoted text of claim 24, the claim is clear that the replay system is to replay a load instruction. The language of claim 24 does not state (in such words) that the memory execution unit is to replay load instructions. As to claim 41, this claim has been amended to address the 112 rejection. In view of the above, reconsideration and withdrawal of the rejection of claims 24-26 and 41 under 35 U.S.C. § 112, second paragraph is respectfully requested.

The application is believed to be in condition for allowance. Favorable action is earnestly solicited.

The Office is hereby authorized to charge any fees required under 37 C.F.R. §§ 1.16 or 1.17 or credit any overpayment to Kenyon and Kenyon Deposit Account No. 11-0600.

Respectfully submitted,

Date: December 5, 2005

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### **AMENDMENTS TO THE DRAWINGS**

Proposed drawing corrections are attached to the Amendment to comply with the Examiner's request.

The six (6) pages of formal replacement drawings which accompany the present amendment are to replace the originally submitted informal drawings which accompanied the subject patent application at the time of filing.

Attachment: Annotated Sheets Showing Changes  
Replacement Sheets

OIPE IAP65  
DEC 09 2005  
PATENT & TRADEMARK OFFICE

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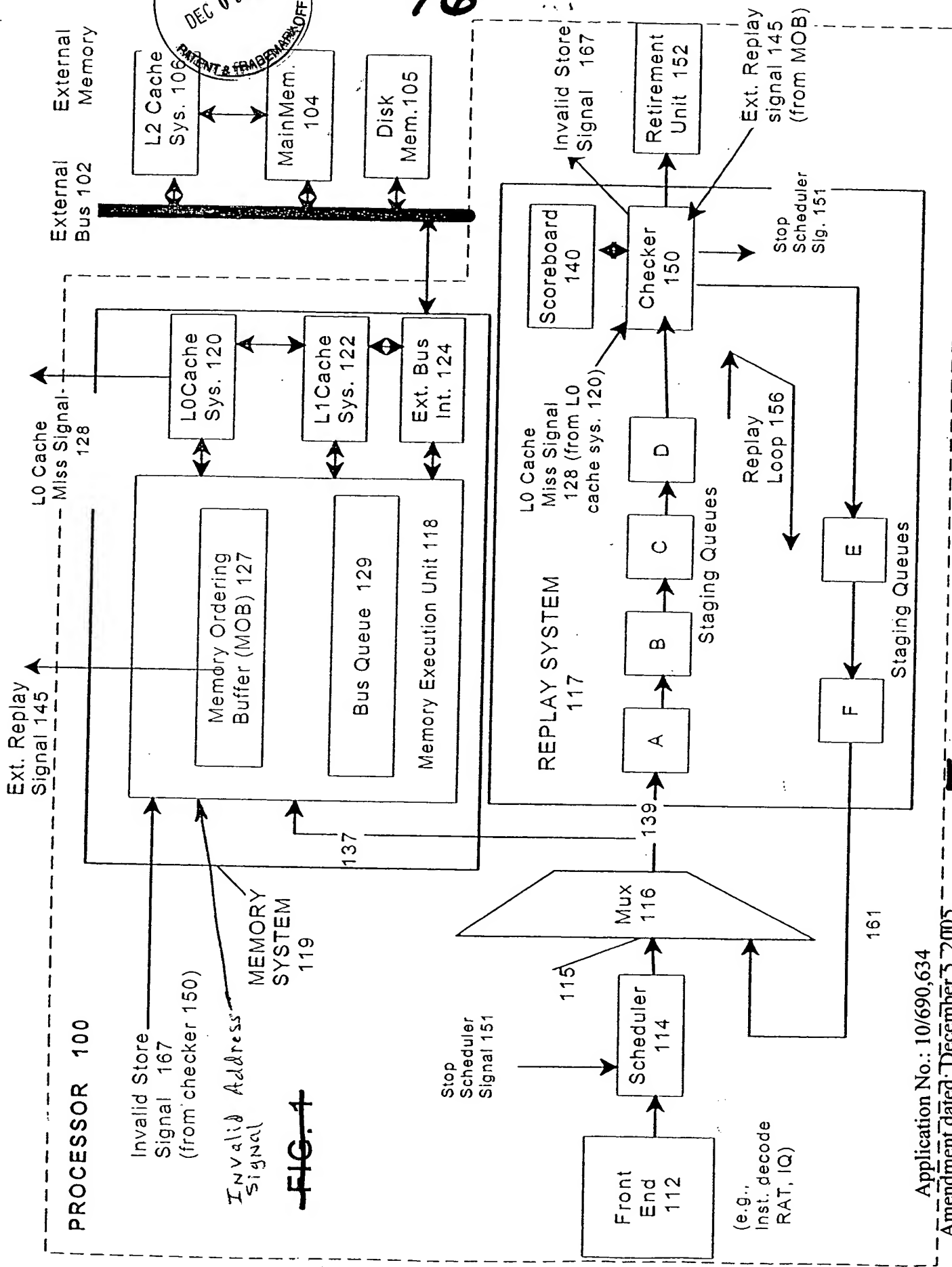
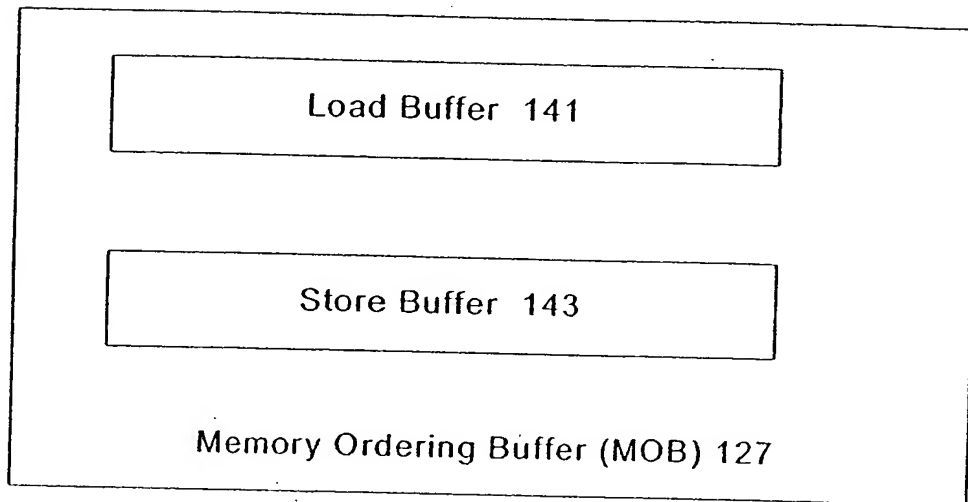


Figure 1

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ANNOTATED SHEET SHOWING CHANGES

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~~Fig. 2~~  
Figure 2

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Store Buffer

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ANNOTATED SHEET SHOWING CHANGES

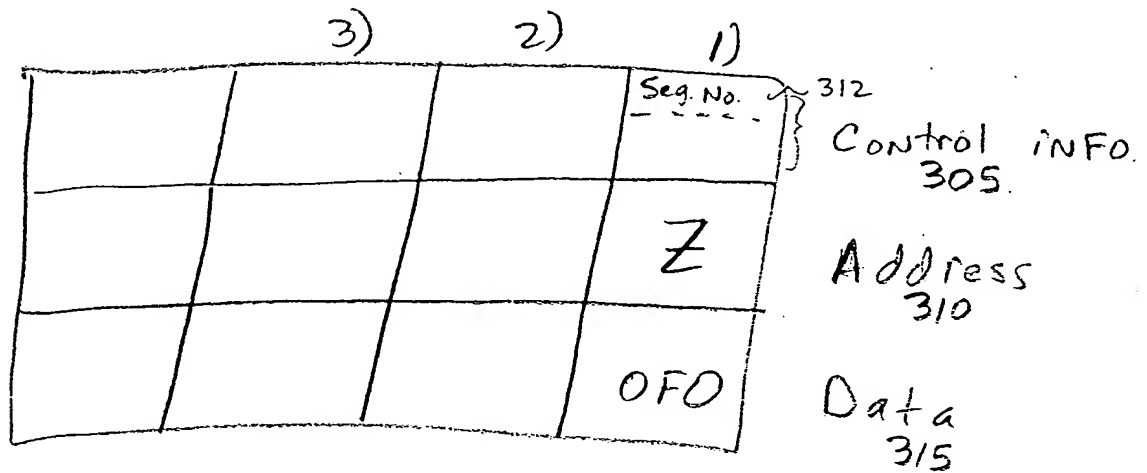
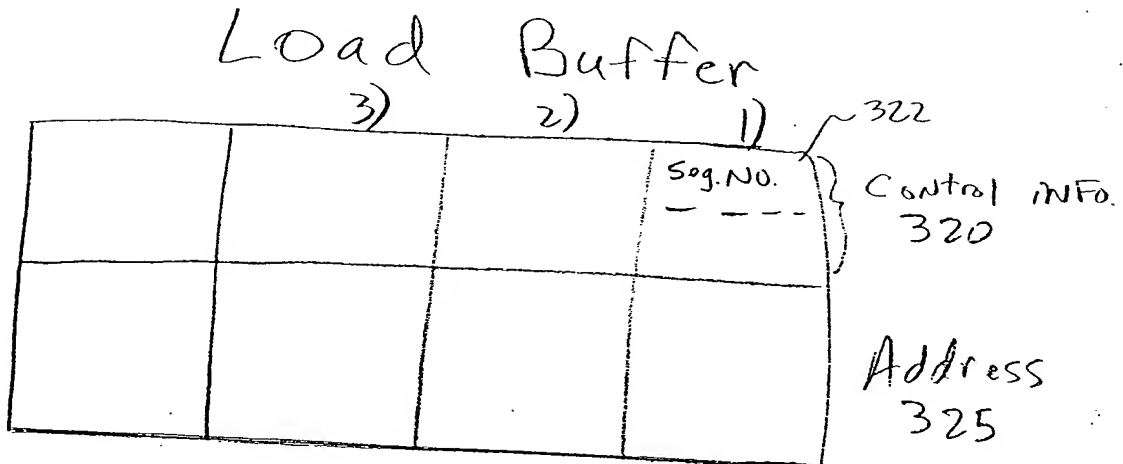


Figure 3a 143



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~~Fig. 3~~  
Figure 3b

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Operation	Source <small>SRC</small>	Destination <small>DEST</small>
1) Store	R4	[R1]
2) Load	[X]	R2

Reg.	Correct Value	Incorrect Value
R1	X	Y

Figure 4a

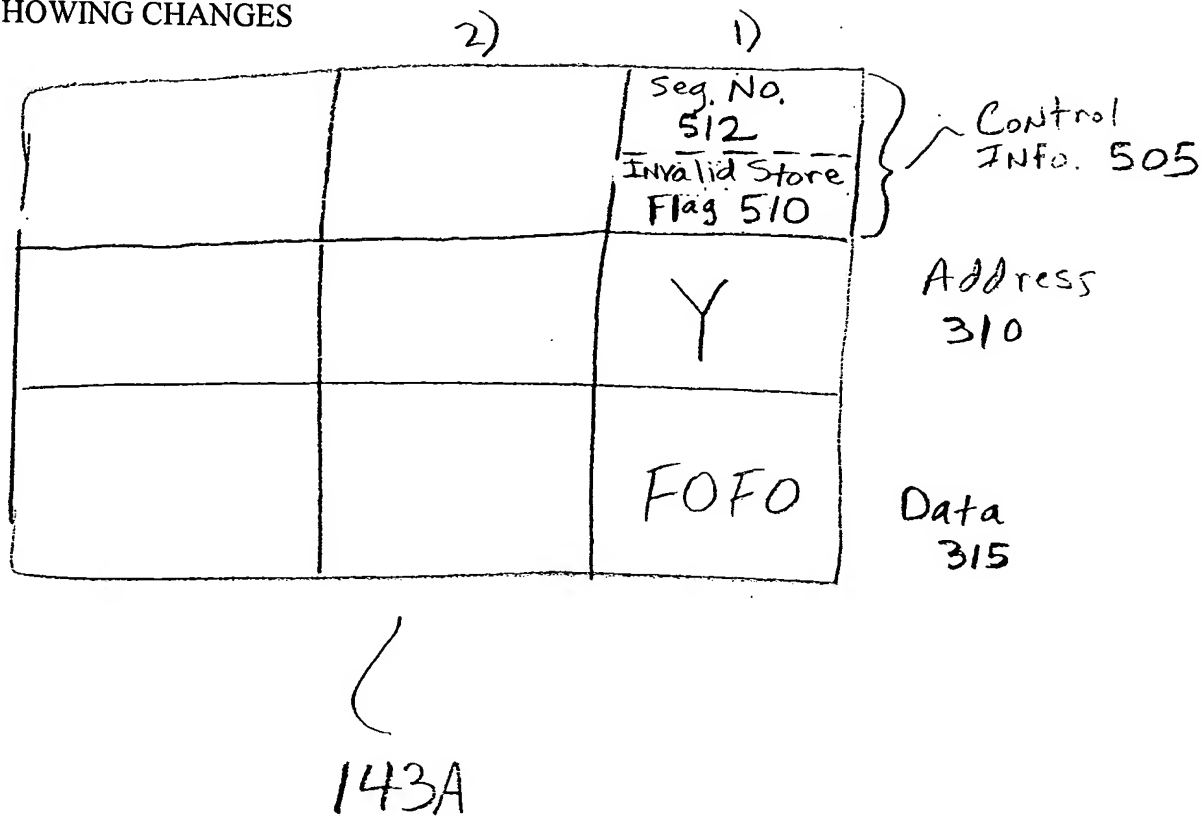
Lo Cache System 120

<del>Address</del> Address	Data
X	F000

~~Fig. 4~~

Figure 4b

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Store Buffer



~~Fig. 5~~

Figure 5



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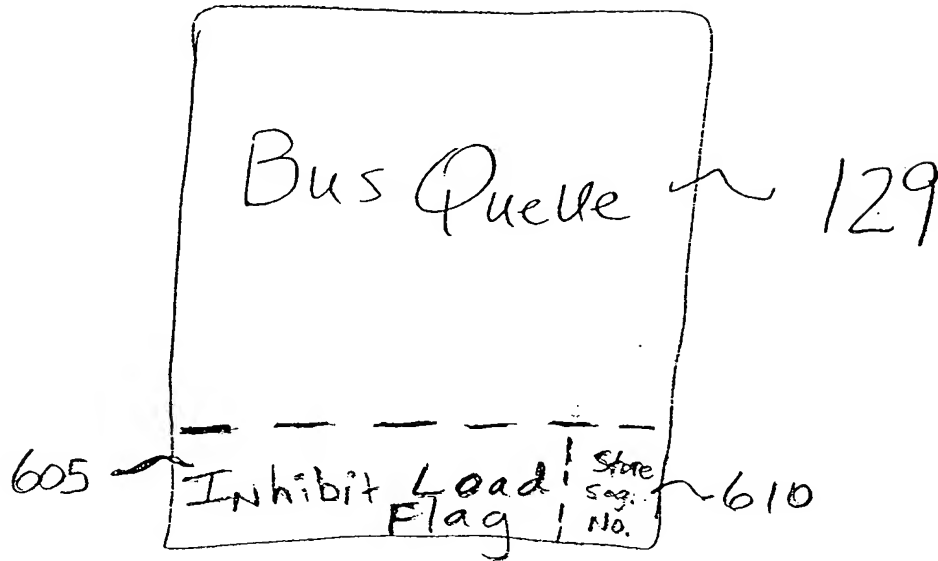


Figure 6

~~Fig. 6~~

(Note: Figure 7 is now on same page as Figure 6)

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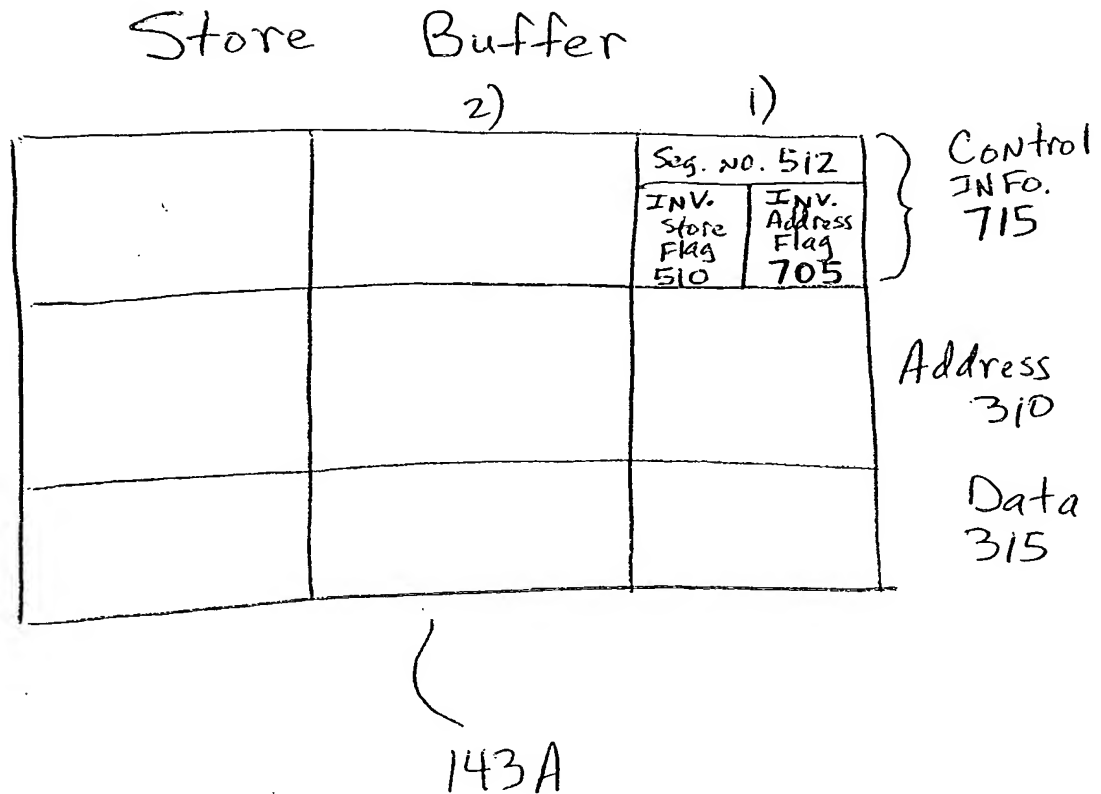


Figure 7

(Note: This figure is on the same page as Figure 6)

~~Fig. 7~~